
Zoning 101:

A Primer on the Cambridge Zoning Ordinance

Presentation to the Cambridge Transportation Advisory Committee

March 3, 2022





Meeting Outline



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Zoning Basics

Development Project Review

Planning Board Process

Zoning Basics



What is Zoning?

- Zoning is a legal tool to regulate land use
- Regulations are intended to serve the public interest while allowing a reasonable use of private property
- Zoning only sets the rules, property owners decide what to do with their land



Zoning and Planning

What are we thinking about?

- City planning goals (e.g., housing, sustainability, safety, economy)
- Impacts on existing uses of land and surrounding public spaces
- Interests of residents, businesses, property owners, others



Zoning Regulation

Included	Not included
<ul style="list-style-type: none">• Type of use (e.g., residential, commercial)	<ul style="list-style-type: none">• Land ownership, tenancy
<ul style="list-style-type: none">• Size and scale of buildings	<ul style="list-style-type: none">• Business operations
<ul style="list-style-type: none">• Intensity of use	<ul style="list-style-type: none">• Construction methods, materials
<ul style="list-style-type: none">• Site or building development characteristics	<ul style="list-style-type: none">• Matters subject to other state or federal regulation (e.g., building codes, licensing, taxation)

Two Parts to Zoning

Cambridge, Massachusetts - Zoning Ordinance / ZONING ORDINANCE CITY OF CAMBRIDGE, MASSACHUSETTS

VERSION: OCT 22, 2021 (CURRENT)

ZONING ORDINANCE CITY OF CAMBRIDGE, MASSACHUSETTS

ARTICLE 1.000 - PREAMBLE

ARTICLE 2.000 - DEFINITIONS **modified**

ARTICLE 3.000 - ZONING DISTRICTS

ARTICLE 4.000 - USE REGULATIONS

ARTICLE 5.000 - DEVELOPMENT STANDARDS

ARTICLE 6.000 - OFF-STREET PARKING AND LOADING REQUIREMENTS AND NIGHTTIME CURFEW ON LARGE COMMERCIAL THROUGH TRUCKS

ARTICLE 7.000 - SIGNS AND ILLUMINATION

ARTICLE 8.000 - NONCONFORMITY

ARTICLE 9.000 - PROCEDURES AND ADMINISTRATION

ARTICLE 10.000 - APPEALS, VARIANCES, AND SPECIAL PERMITS

ARTICLE 11.000 - SPECIAL REGULATIONS

ARTICLE 12.000 - PLANNED UNIT DEVELOPMENT

ARTICLE 13.000 - PLANNED UNIT DEVELOPMENT DISTRICTS

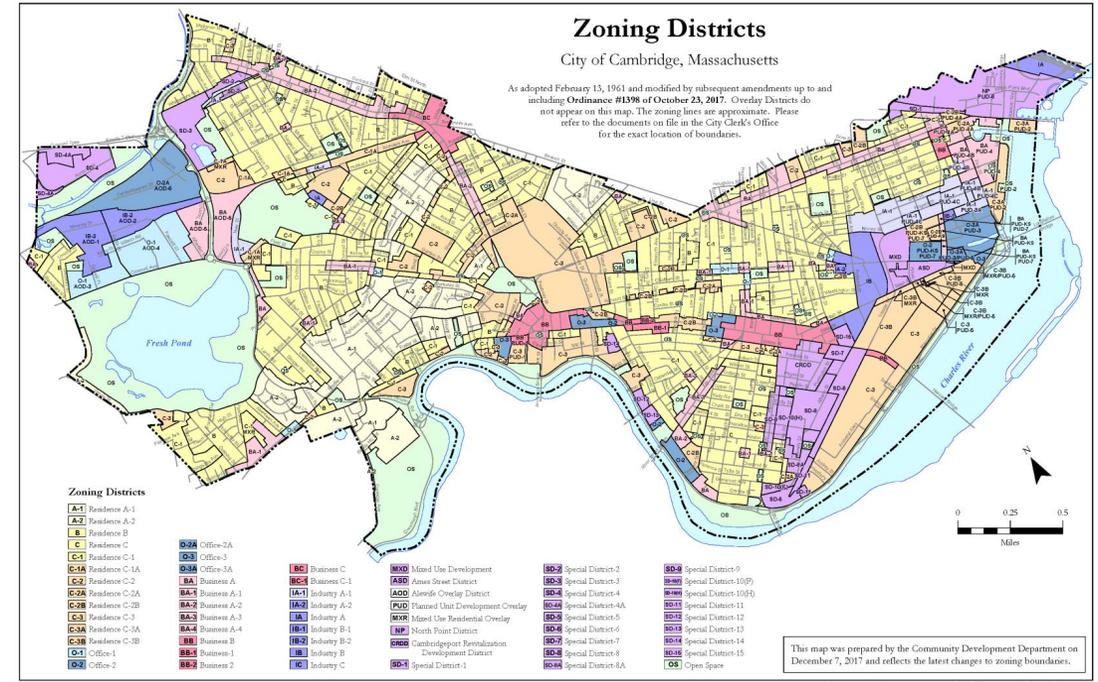
ZONING ORDINANCE CITY OF CAMBRIDGE, MASSACHUSETTS

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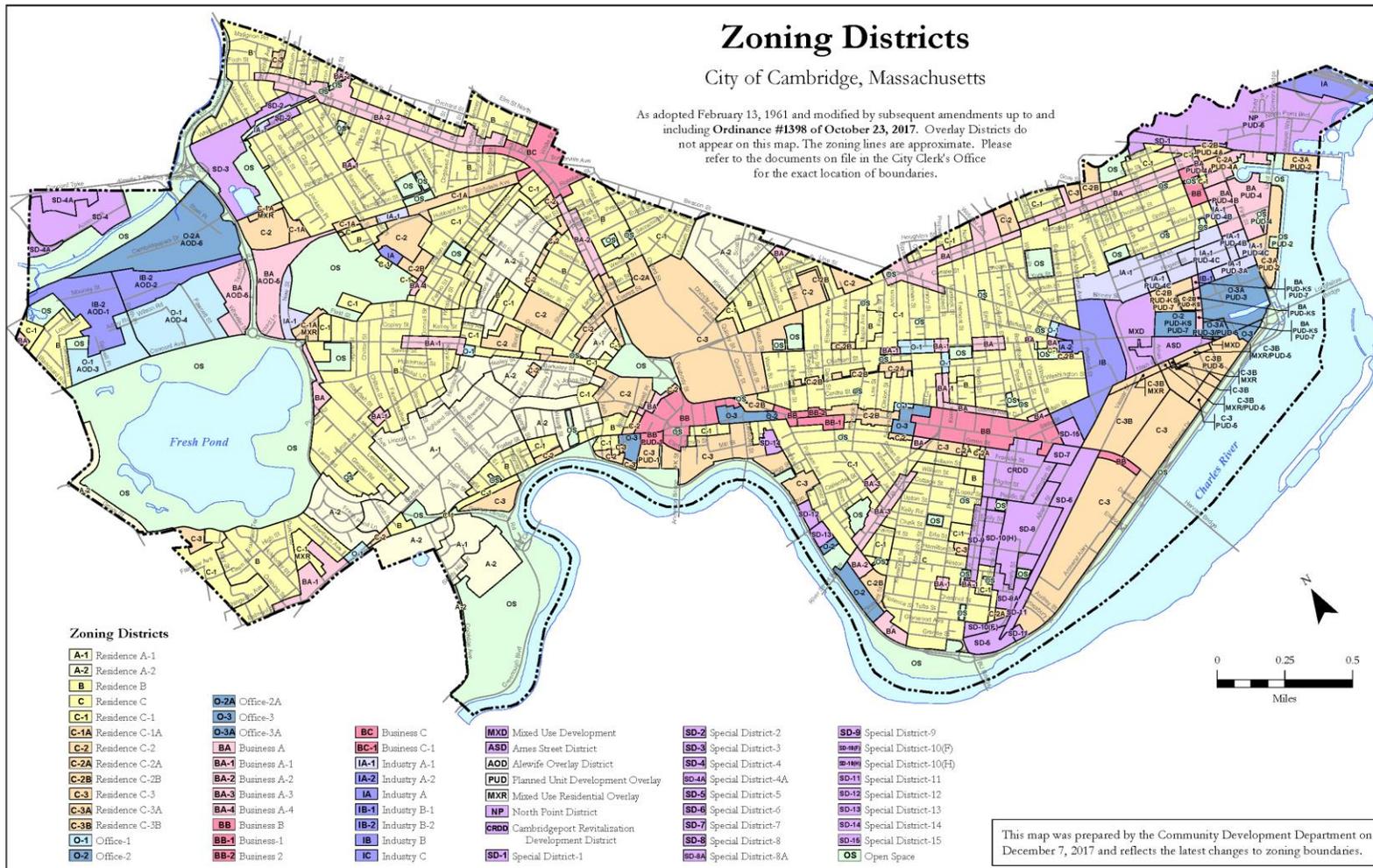
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Zoning Ordinance



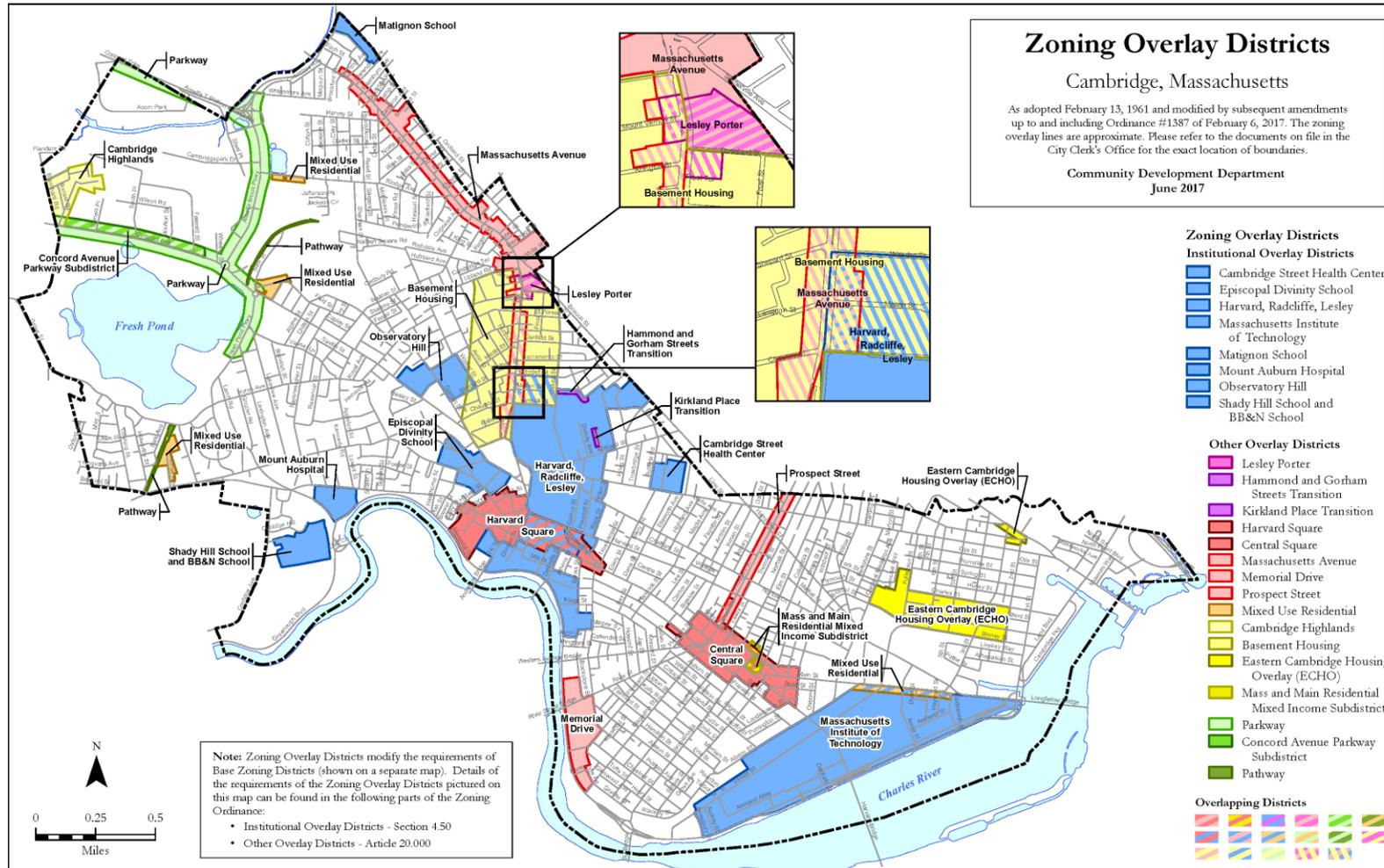
Zoning Map

Base Zoning Districts



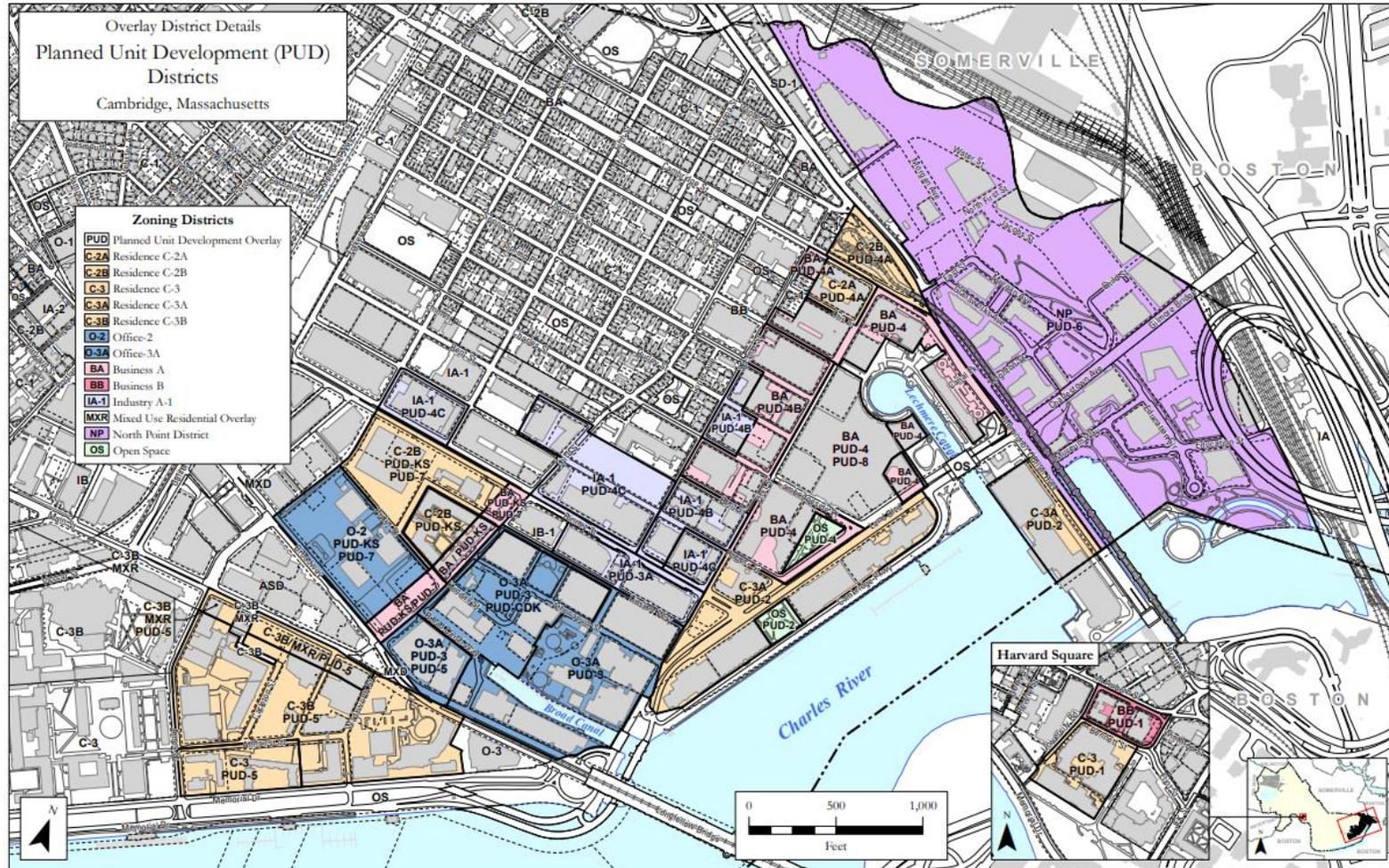
- Every part of the city is in a district
- Districts defined by their land use character –use, scale, intensity
- Range from more restrictive to more permissive
- Rules are uniform across a district

Overlay Zoning Districts



- Modify base zoning in a *specific area*
- New boundaries established for a particular use or purpose (e.g., institutional districts)

Planned Unit Development (PUD) Districts



- Separate from base zoning and overlay zoning
- New boundaries established for the district
- Typically used for large properties with multiple buildings

Allowed Uses

Section 4.30, Table of Use Regulations

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹	Bus A, A-4	Bus B, B-1, B-2	Bus C	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B
4.35 Retail or Consumer Service Establishments													
Retail or Consumer Service Establishment, not otherwise defined	<u>No</u>	No	No	No	No	<u>SP</u>	SP	SP	SP	SP	SP	SP	SP
a-1. Convenience Store	No	No	SP ⁵⁹	SP ⁵⁹	Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	<u>Yes</u>	Yes	Yes ⁵¹	Yes
a-2. Merchandise Store	No	No	No	No	Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes
a-3. Grocery Store	No	No	SP ⁵⁹	SP ⁵⁹	Yes ¹²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
b. Craft Retail and Production Shop	No	No	No	No	Yes ¹²	SP ⁶⁰	SP ⁶⁰	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes
c. Personal Services Establishment	No	No	SP ⁵⁹	SP ⁵⁹	Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes

“Yes” = allowed as-of-right

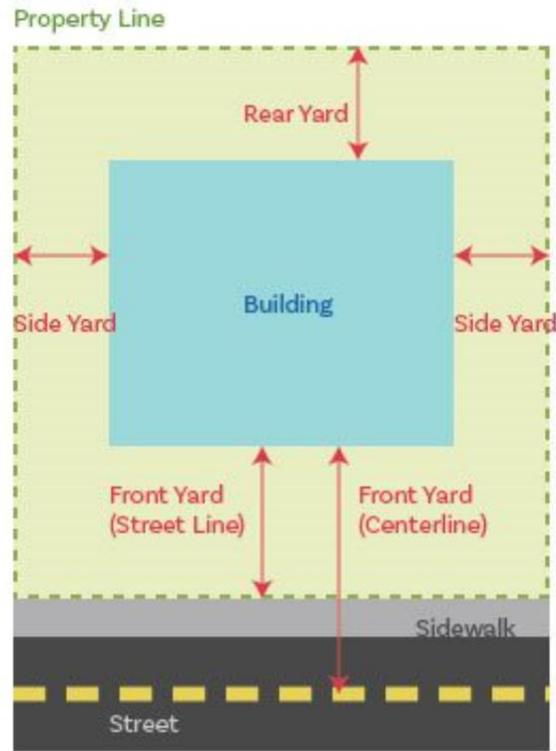
“SP” = special permit (BZA)

“No” = prohibited use

“PB” = Planning Board special permit

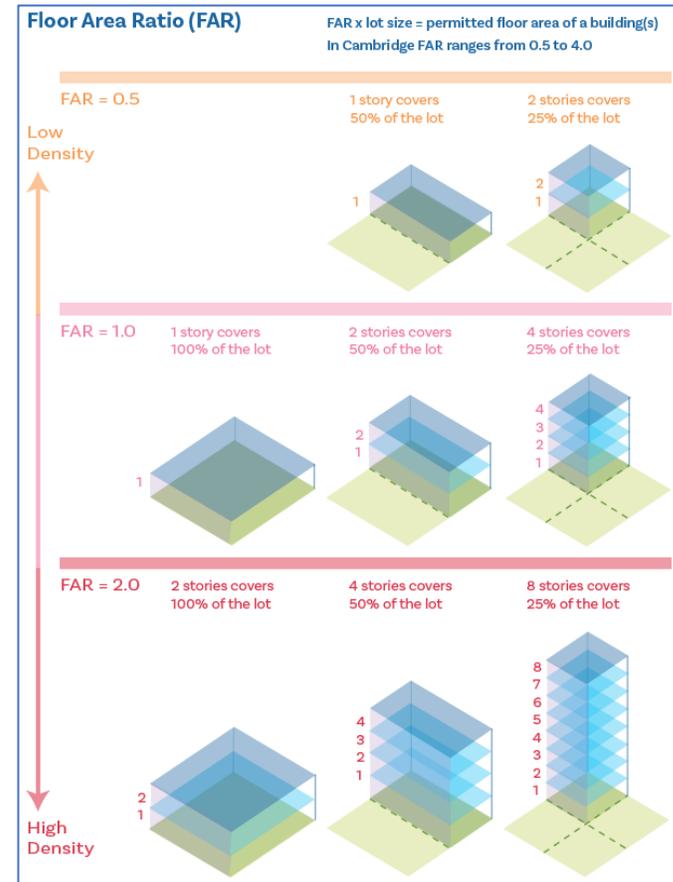
Be sure to check any footnotes (Section 4.40) for details!

Development Controls



Development Standards

e.g., open space, yards ("setbacks"), parking



Use Type and Intensity

e.g., height, gross floor area, housing unit density

Are TIS and PTDM in Zoning?



Transportation Impact Study (TIS)

- TIS is required for projects above certain size threshold (e.g., gross floor area, parking spaces).
- Required by zoning, but reviewed and certified by TP+T.
- Not just car traffic! Also studies pedestrian, bicycle, and transit travel.



Parking and Transportation Demand Management (PTDM)

- PTDM is a separate municipal ordinance.
- However, TDM measures can be included as mitigation for impacts identified in the TIS.
- Special Permits cannot be granted before a required PTDM plan is approved.



Development Project Review



As-Of-Right

If a development complies with all the zoning standards, and does not need a special permit, then it is considered to be "as-of-right."

In this case, a developer can simply apply for a building permit from the Inspectional Services Department (ISD) without needing additional approvals.



Discretionary Approvals

Special Permit	Variance
Allowed by Zoning Ordinance	Not allowed by Zoning Ordinance
Requires public hearing, notification, decision	Requires public hearing, notification, decision
Subject to legal appeal	Subject to legal appeal
Normally granted if zoning requirements are met, except if not found to be in the public interest due to unique circumstances of the site	Normally not granted unless there is a hardship that justifies special consideration due to unique circumstances of the site



Zoning Review Boards

Planning Board

- Grants specific special permits ("PB").
- Can also grant special permits (but not variances) otherwise in BZA purview ("SP").
- Mostly responsible for “Bonus” and “Review” types of special permits (bicycle parking modification is an exception).

Board of Zoning Appeals (BZA)

- Grants specific special permits ("SP").
- Grants all variances.
- Mostly responsible for “Relief” types of special permits.



Zoning Advisory Committees

Central Square Advisory Committee (CSAC)

- Reviews and comments on land use & development proposals in the Central Square Overlay District per the Cambridge Zoning Ordinance (Section 20.300)
- Focuses on special permit and variance applications

Harvard Square Advisory Committee (HSAC)

- Reviews and comments on land use & development proposals in the Harvard Square Overlay District per the Cambridge Zoning Ordinance (Section 20.50).
- Focuses on special permit and variance applications

General Types of Special Permits

Type	Purpose	Approved if...	Examples
"Bonus"	Allow additional development (e.g., density, height, use) above standard	Meets specific planning objectives and/or provides public benefits	PUD, AOD zoning
"Review"	Assess impacts of development exceeding a certain threshold	Meets general planning objectives and mitigates impacts (e.g., transportation, urban design, environment)	Project Review Special Permit (19.20)
"Relief"	Waive or modify specific standards	Site-specific factors are a constraint and impacts are mitigated	Reduction in Required Parking



Project Review Special Permit (19.20)

Most development of 50,000+ square feet requires a special permit from the Planning Board

Two components of review: transportation impacts and urban design

- "Transportation" includes pedestrian, bicycle, and transit travel
- Transportation impacts require mitigation based on TIS
- Urban design review based on Section 19.30 Citywide Urban Design Objectives
- Pedestrian and bicycle friendly design is one of the major objectives



Advisory Reviews

Affordable Housing Overlay (AHO)

- **Reviewer:** Planning Board
- **Review Description:** Residential development built to serve households earning up to 100% area median income (AMI). All AHO Projects hold community outreach meetings and go through Planning Board review.
- **Review Criteria:** Area plans and guidelines, Citywide Urban Design Objectives (19.30), AHO design guidelines

Large Project Review

- **Reviewer:** Staff and public
- **Review Description:** Proposals in Areas of Special Planning Concern, if a special permit is not already required.
- **Review Criteria:** Area plans and guidelines, Citywide Urban Design Objectives (19.30)



Citywide Urban Design Objectives

Provides guidance to property owners, staff, and public on form and character of development

Encourages a holistic approach to review – projects are not required to meet all objectives

Finding: on balance the objectives of the City are being served by the proposed development



Urban Design Objectives

Section 19.32: "Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings" such as:

- Active uses on the ground level
- No parking facing public streets or walkways
- Ground floors with 25-50% transparency
- Building entry siting (e.g., close to crosswalks, pedestrian paths, transit stops)
- Safe and convenient access for pedestrians and bicyclists



Other Zoning Considerations

- Bicycle Parking (Section 6.100)
- Vehicle parking reduction (Section 6.35) criteria includes MBTA transit station proximity
- Project Review Special Permit (Section 19.20) requires that projects do not impose substantial adverse impacts on city traffic

Example Project: MIT Volpe Redevelopment





Planning Board Process



Pre-Application Process

Community Engagement

- Outreach to abutters, neighbors, community groups
- At least one community meeting
- Other outreach tools encouraged

Informal Consultation with City Staff

- Community Development
- Traffic, Parking, and Transportation
- Public Works
- Other Departments



Planning Board Review

Public Hearing

- Applicant presents their project to the Planning Board for review
- Public may attend and/or comment
 - Written comments submitted by 5 p.m. the day before the hearing
 - Comment in real-time during the hearing (currently by computer/phone)
- Final application materials are posted on City's special permits web page

Planning Board Action

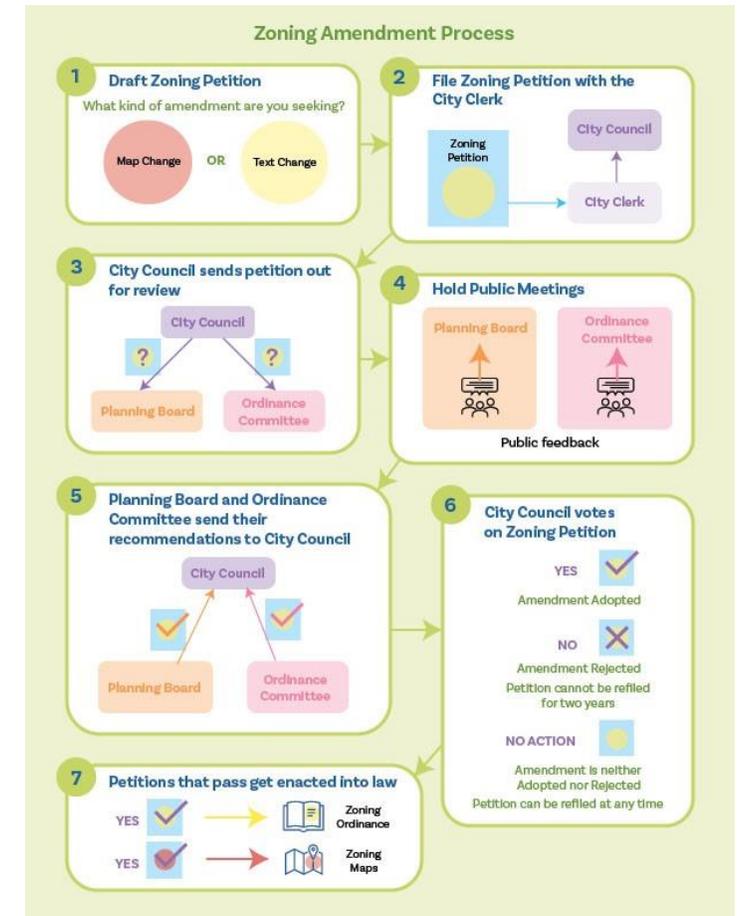
- Planning Board votes to approve or deny a special permit
- Conditions are typically attached to a special permit, must be satisfied by building permit and/or certificate of occupancy approval

Zoning Amendments

Both the text and map of the Zoning Ordinance can be amended by the City Council

Various groups can propose a zoning amendment

The Planning Board and the Ordinance Committee hold separate public hearings and provide recommendations to the Council

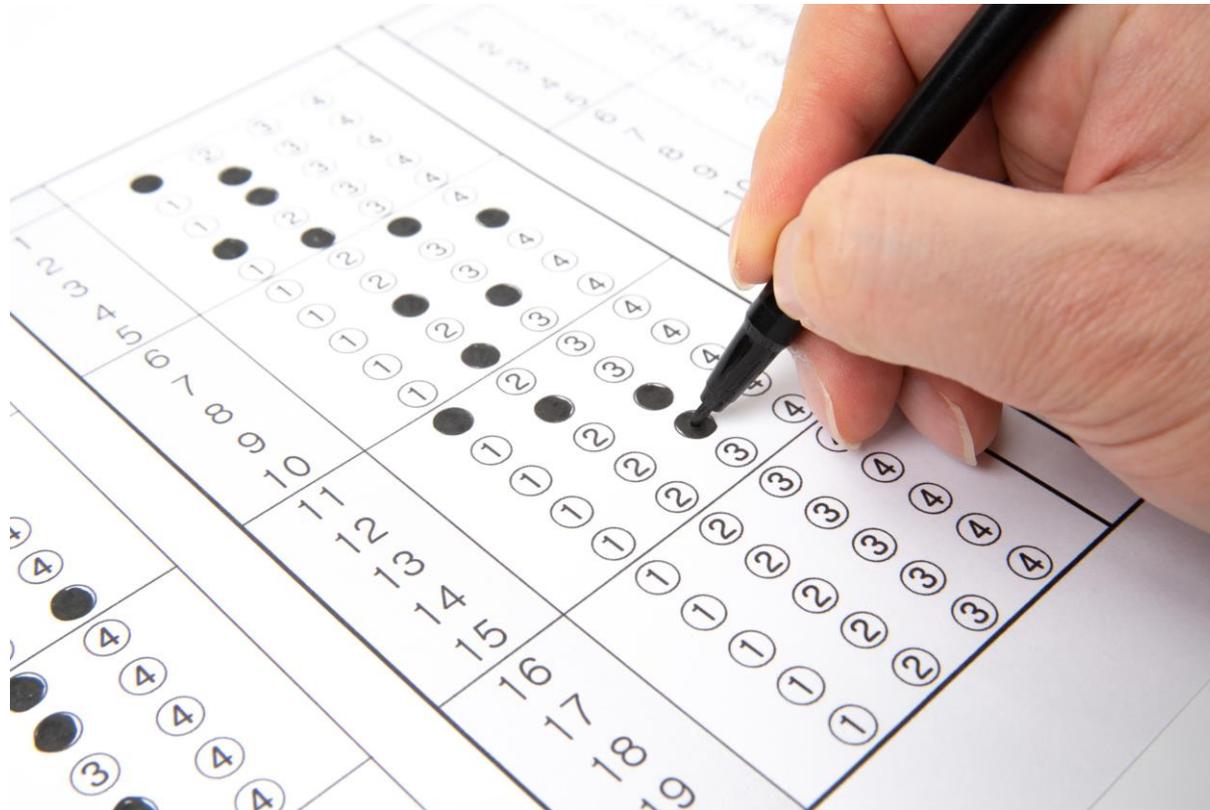




Committee's Participation

- Review of development projects is not mandatory so Committee can choose how/when to participate
- Typically review the largest, most significant projects, including PUDs and larger special permit projects
- Projects may be reviewed separately or jointly by the three transportation committees
- Provide feedback based on the City's broad planning objectives (e.g., Pedestrian Plan, Bicycle Plan)
- Provide input directly to developer (by inviting to meetings), and/or directly to the Planning Board (written comment, public hearings)
- Planning Board values thoughtful input on the factors they can influence (e.g., urban design, impact mitigation)

Time for the test!





Questions?



Thank You!



Useful Planning Board Links

Planning Board special permit applications:

[https://www.cambridgema.gov/specialpermits.](https://www.cambridgema.gov/specialpermits)

Interactive map of special permits:

[https://www.cambridgema.gov/CDD/zoninganddevelopment/specialpermits/specialpermitsmap.](https://www.cambridgema.gov/CDD/zoninganddevelopment/specialpermits/specialpermitsmap)

Planning Board meetings:

<https://www.cambridgema.gov/CDD/zoninganddevelopment/planningboard/planningboardmeetings>

The [Pre-Application Community Meetings webpage](#) shows projects that have not submitted a final special permit application yet.



Other Useful Links

Board of Zoning Appeal (BZA) special permits and variances: <https://www.cambridgema.gov/inspection/Zoning>.

Affordable Housing Overlay (AHO) projects: <https://www.cambridgema.gov/CDD/housing/housingdevelopment/aho.aspx>.

Zoning Ordinance in Municode:
https://library.municode.com/ma/cambridge/codes/zoning_ordinance.

General information about zoning:
www.cambridgema.gov/cdd/zoninganddevelopment/zoning.



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